REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the present amendment and the following discussion is respectfully requested.

Claims 1-17 are presently pending in this case. New Claim 17 is added by the present amendment. As new Claim 17 supported by the original disclosure,[1] no new matter is added.

In the outstanding Official Action, Claims 1-3, 9, 10, and 12 were rejected under 35 U.S.C. §103(a) as unpatentable over Abe et al. (U.S. Patent Application Publication No. 20040015713, hereinafter "Abe") in view of Yoshida et al. (U.S. Patent Application Publication No. 20020042777, hereinafter "Yoshida"); Claims 4, 6, 11, and 14 were rejected under 35 U.S.C. §103(a) as unpatentable over Abe in view of Yoshida and further in view of Gonno et al. (U.S. Patent Application Publication No. 20010047419, hereinafter "Gonno"); Claim 5 was rejected under 35 U.S.C. §103(a) as unpatentable over Abe in view of Yoshida and further in view of Abe et al. (U.S. Patent Application Publication No. 20030031319, hereinafter "Abe '319"); Claims 7, 8, 15, and 16 were rejected under 35 U.S.C. §103(a) as unpatentable over Abe in view of Yoshida and further in view of Shimamoto et al. (U.S. Patent Application Publication No. 20020126999, hereinafter "Shimamoto"); and Claim 13 was rejected under 35 U.S.C. §103(a) as unpatentable over Abe in view of Yoshida and further in view of Takashima et al. (U.S. Patent Application Publication No. 20040141083, hereinafter "Takashima").

With regard to the rejection of Claim 1 as unpatentable over Abe in view of Yoshida, that rejection is respectfully traversed.

Amended Claim 1 recites in part:

> reservation means for reserving selected content data for recording on a selected second recording medium with reservation data; and

[1]See, e.g., the specification at page 97, lines 17-21.

> controlling means for receiving the recording medium identifier of the second recording medium loaded in the recording and reproducing apparatus, data of the second recording medium being reproduced by the recording and reproducing apparatus, and for controlling content data transferred to the recording and reproducing apparatus so that the content data recorded in the first recording medium is recorded to the second recording medium in accordance with the reservation data.

The outstanding Office Action cited Abe as describing "controlling means" as recited in original Claim 1.[2] However, it is respectfully submitted that Abe does not teach or suggest ***any*** means for ***reserving*** selected content data for recording on a selected second recording medium. Thus, it is respectfully submitted that Abe does not tech or suggest "reservation means for reserving selected content data for recording on a selected second recording medium with reservation data" or "controlling means ... for controlling content data transferred to the recording and reproducing apparatus so that the content data recorded in the first recording medium is recorded to the second recording medium ***in accordance with the reservation data***" as recited in amended Claim 1. Further, it is respectfully submitted that Yoshida does not teach or suggest these features either. In fact, Yoshida has not been cited as describing either of these features. Consequently, amended Claim 1 (and Claims 2-8 dependent therefrom) is patentable over Abe in view of Yoshida.

Amended Claim 9 recites in part:

> reserving selected content data for recording on a selected second recording medium with reservation data, said reservation data included in the transfer managing information; and
>
> controlling content data transferred to a recording and reproducing apparatus so that the content data recorded in the first recording medium is recorded to the second recording medium in accordance with the recording medium identifier of the second recording medium and the transfer management information that are received.

[2]See the outstanding Office Action at page 3, lines 16-22.

As noted above, neither Abe nor Yoshida teach or suggest reserving selected content data for recording on a selected second recording medium with reservation data. Thus, neither Abe nor Yoshida teach or suggest "reserving selected content data" or "controlling content data" as defined in amended Claim 9. Accordingly, Claim 9 (and all claims dependent therefrom) is patentable over Abe in view of Yoshida.

With regard to the rejection of Claims 4, 6, 11, and 14 as unpatentable over Abe in view of Yoshida and further in view of Gonno, it is noted that Claims 4, 6, 11, and 14 are dependent from Claims 1 and 9, and thus are believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that Gonno does not cure any of the above-noted deficiencies of Abe and Yoshida. Accordingly, it is respectfully submitted that Claims 4, 6, 11, and 14 are patentable over Abe in view of Yoshida and further in view of Gonno.

With regard to the rejection of Claim 5 as unpatentable over Abe in view of Yoshida and further in view of Abe '319, it is noted that Claims 5 is dependent from Claim 1, and thus is believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that Abe '319 does not cure any of the above-noted deficiencies of Abe and Yoshida. Accordingly, it is respectfully submitted that Claim 5 is patentable over Abe in view of Yoshida and further in view of Abe '319.

With regard to the rejection of Claims 7, 8, 15, and 16 as unpatentable over Abe in view of Yoshida and further in view of Shimamoto, it is noted that Claims 7, 8, 15, and 16 are dependent from Claims 1 and 9, and thus are believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that Shimamoto does not cure any of the above-noted deficiencies of Abe and Yoshida. Specifically, Shimamoto describes that a previously recorded program is deleted from a disc that does not have enough capacity

to receive a reserved program to be recorded thereon.[3] However, Claims 7 and 15 recite that "if the recordable capacitance of the second recording medium is insufficient, ***a reservation for which the content data is deleted*** from the second recording medium is performed so as to increase the recordable capacity of the second recording medium." Thus, the invention recited in Claim 7 does not delete the content ***itself***, only the ***reservation*** for the content data. As Shimamoto does not teach or suggest deleting a ***reservation*** for reserved content data, it is respectfully submitted that Claims 7 and 15 (and Claims 8 and 16 dependent therefrom) are patentable over Abe in view of Yoshida and further in view of Shimamoto.

With regard to the rejection of Claim 13 as unpatentable over Abe in view of Yoshida and further in view of Takashima, it is noted that Claim 13 is dependent from Claim 9, and thus is believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that Takashima does not cure any of the above-noted deficiencies of Abe and Yoshida. Accordingly, it is respectfully submitted that Claim 13 is patentable over Abe in view of Yoshida and further in view of Takashima.

New Claim 17 is supported at least by original Claim 1 and the specification at page 97, lines 17-21. New Claim 17 recites in part "a classification unit configured to classify a content data into a genre and associate each content identifier with a corresponding genre."

In contrast, it is respectfully submitted that none of Abe, Yoshida, Gonno, Abe '319, Shimamoto, and Takashima teach or suggest "a classification unit" as defined in new Claim 17. Thus, new Claim 17 is believed to be patentable over the cited references.

[3]See Shimamoto, paragraphs 107-109.

Accordingly, the pending claims are believed to be in condition for formal allowance.

An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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